

### **REMARKS**

Applicants acknowledge, with thanks, receipt of the Office Action mailed December 22, 2005. Claims 1-18 are pending in the instant application. No new matter has been added to the application.

Applicants have amended claims 1, 9, and 14 to more clearly describe the invention to which the claims are directed. In addition, Applicants respectfully submit replacement sheets for Figures 1-9, wherein such replacement sheets include formal drawings corresponding to the originally filed Figures 1-9. No new matter has been added to Figures 1-9.

### **Background**

#### **The Subject Application**

By way of background, the subject application is directed to a system and method for gathering and analyzing customer fleet and/or business process data, configure and price a document imaging solution, and generate a professional proposal. Stated another way, the subject system and method is adapted to gather information corresponding to historic and current document management data, including historic usage information and current products, associated with a customer and based upon that customer data, generate a business proposal tailored to the customer. For example, when the user is a document management or services company, the customer is any other business that uses the services provided by the user. The subject system and method then gathers the customer's historic usage information and current products to calculate an appropriate document management solution, preferably one involving the user's products and/or services. This solution is then generated in a professional manner via the system and method of the subject application, which is provided to the customer so as to facilitate completion of an order with between the user and the customer. That is, the system and method is a tool for document processing device and document imaging service providers to use in generating product proposals for a specific customer.

**U.S. Patent No. 6,629,092 to Berke ("Berke")**

In contrast to the subject application, Berke is directed to a system and method for searching for a single web site based upon a company's trademark and associated goods and/or services. That is, Berke is for use by a customer to ascertain the URL of a vendor's website, the products associated therewith, and the like. Stated another way, Berke provides a search engine, implemented via the Internet, through which a customer is able to identify a product or service provider using the provider's trademarks, services, and/or products. The system described by Berke returns a list of authorized vendor from which the good or service can be purchased. Berke further employs a database in which is stored web site data corresponding to vendors, marks, and goods/services associated therewith. When searching, a user is able to access this database, preferably via a server, and locate an authorized vendor based upon a mark and a good/service provided by a vendor.

#### **REJECTIONS UNDER 35 U.S.C. §102(e)**

The Examiner has rejected claims 1-18 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,629,092 to Berke. The Applicants have amended independent claims 1, 9, and 14, and respectfully traverse the Examiner's rejections.

Amended claims 1, 9, and 14 are directed to a method and system for optimizing document management output. The method begins with the receipt of customer data representing a plurality of selected products, such as document processing devices, imaging programs, and the like, and historic usage information associated with a specific customer. This historic usage information includes, for example supply costs, document production costs, device performance, and the like. This input data is then compared to stored product and/or service information maintained by a database accessed via a secure web portal. An analysis is then performed between the product and historic usage data input by the customer and the stored data. The results of this comparison are then used to generate product acquisition data, i.e., a business proposal, specific to the usage information provided by the customer. The business proposal includes information related to various document processing devices, document management solutions, imaging services, and the like. Of note is that this proposal is specifically tailored to the customer by being based upon the historic usage data and product data provided by the

customer. Claims 1, 9, and 14, as amended, more accurately reflect this system and methodology, thereby distinguishing the instant application from the art of record.

In contrast to the instant application, Berke fails to teach or suggest the use of historic usage data as a basis for generating a business proposal. In particular, Berke makes no reference to past usage data associated with a specific customer, nor is the method employed by Berke capable of being adapted to provide such a business proposal. Berke teaches a search engine and method whereby a customer is able to ascertain a vendor based upon a specific product, trademark, or service. This is counter to the subject application in that the subject application is directed to a methodology employed by a vendor to generate non-specific device/service for a specific customer. That is, the subject application is used to generate data representing an alternative document processing/imaging solution to that which the customer currently employs. This determination is made using historic usage data and the customer's own current document processing products. Berke fails to teach or disclose such a determination, as set forth in amended claims 1, 9, and 14.

As claims 1, 9, and 14 are patentably distinct over the art of record, Applicants respectfully submit that the remaining claims, 2-8, 10-13, and 15-18, which depend therefrom, and add further limitations thereto, are also patentable over the art of record. Nothing contained in Berke teaches or suggests the use of historic usage data as the basis for generating product acquisition data specific to a given customer.

### **CONCLUSION**

In view of the foregoing, it is respectfully submitted that all present claims are patentably distinct and in condition for allowance thereof. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.


Appl. No. 10/619,386  
Amdt. dated June 22, 2006  
Reply to Office Action of December 22, 2005

If there are any uncovered fees, or any overpayments, necessitated by the foregoing communication, please charge such fees to our Deposit Account **No. 50-0902**, referencing our Docket No. 78871/33367.

Respectfully submitted,

TUCKER ELLIS & WEST LLP

Date: June 22, 2006

A handwritten signature in black ink, appearing to read 'C. Drago', is written over a horizontal line.

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